

EXHIBIT A

**TO THE DECLARATION OF ADA K. WONG IN SUPPORT
OF PLAINTIFF'S THIRD MOTION TO COMPEL DISCOVERY
RESPONSES**

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JILLIAN HORMAN, an individual,

Plaintiff,

v.

SUNBELT RENTALS, INC., *et al.*,

Defendants.

Case No. 2:20-cv-00564-TSZ

**PLAINTIFF'S THIRD SET OF
REQUESTS FOR PRODUCTION TO
DEFENDANT SUNBELT RENTALS,
INC.**

TO: SUNBELT RENTALS, INC., Defendant

AND TO: SHANE P. CRAMER, PATRICIA J. HILL and YASH B. DAVE, Counsel for
Defendant

SET NO.: THREE

Plaintiff Jillian Horman, in her individual capacity herein, hereby serves these Requests
for Production upon Defendant Sunbelt Rentals, Inc.

THIS IS A REQUEST FOR PRODUCTION, PURSUANT TO FED. R. CIV. P. 34.

Please produce requested items for inspection and copying at the offices of Ada K.
Wong, AKW Law, P.C., 6100 219th Street SW, Suite 480, Mountlake Terrace, WA 98043,
thirty (30) days from the date of service of this set of Requests for Production upon you.

1 Be advised that the Requests for Production herein apply to all information and items
 2 within your knowledge or control, and that of your attorneys, agents, representatives and other
 3 persons acting on your behalf.

4 If there are any additions, deletions or changes in the answers or information provided
 5 at any time prior to trial, you are specifically directed to immediately so inform plaintiff's
 6 counsel. If additional documents are discovered between the time of making these answers
 7 and the time of trial, these Requests for Production are directed to that information. If such
 8 documents are not seasonably furnished within a reasonable time prior to trial, the undersigned
 9 will move at or before trial to exclude from evidence any such documents known to you or in
 10 your possession or that of your attorneys, agents, liability insurers, and others acting on your
 11 behalf, and will request other appropriate sanctions.

12 DEFINITIONS

13 As used herein:

14 1. **Communication.** The term "communication" means any oral or written
 15 expression or exchange of information by speech, writing, or conduct including, but not limited
 16 to, in-person conversations, telephone conversations, correspondence, email messages, text
 17 messages, electronic instant messages, social media messages, and all other forms of
 18 communication.

19 2. **Document.** The term "document" shall be used in its broadest sense as
 20 permitted by Federal Rules of Civil Procedure 26 and 34 and means all writings of every kind
 21 including, but not limited to, the original or any legible copy of all records, letters,
 22 correspondence, appointment books, diaries, files, notes, statements, memoranda or minutes
 23 of meetings, conferences and telephone calls, emails, faxes, receipts, written reports or

1 opinions of investigators or experts, status reports, drawings, charts, photographs, negatives,
 2 brochures, lists, schedules, manuals, technical notes or standards, expense accounts, financial
 3 statements or audit reports, however produced or reproduced, within your possession or subject
 4 to your control, of which you have knowledge or to which you now have or previously had
 5 access. The term “document” includes drafts and copies that are not identical duplicates of the
 6 originals, and copies of documents, the originals of which are not in your possession, custody,
 7 or control.

8 3. ***Identity of Individuals.*** Where the name or identity of an individual person is
 9 requested, or where the term “identify” is used in reference to an individual person, please state
 10 with respect to each such person:

- 11 a. Full name;
- 12 b. Current or last known residence address, and telephone number;
- 13 c. Current or last known business address and telephone number;
- 14 d. All known email addresses;
- 15 e. Current position or occupation;
- 16 f. Employer;
- 17 g. His or her present whereabouts and his or her present employment
- 18 position and business affiliation at the time in question; and,
- 19 h. Relationship to you.

20 Unless it otherwise appears from the context, a request for the identity of a person
 21 relates to all persons in such classification or category.

22 4. ***Identity of Document.*** The term “identify,” when used in reference to a
 23 document, means to state with respect to each document:

- 1 a. Title of document;
- 2 b. The date of preparation of the document;
- 3 c. The name and title of each author, sender, creator and initiator of such
- 4 document;
- 5 d. The name and title of recipient, addressee, or party for whom such
- 6 document was intended (if any);
- 7 e. The nature of the document (e.g., letter, memorandum, tape) and other
- 8 means of identification sufficient to identify the document for purposes of a request for
- 9 production, and to further state its present location and custodian;
- 10 f. Source from whom or from which you obtained the document;
- 11 g. Number of pages the document comprises;
- 12 h. Production number(s); and,
- 13 i. If any such document was, but no longer is, in your possession or
- 14 custody or subject to your control, describe what disposition was made of it, and give
- 15 the name, address and telephone number of the person presently having possession,
- 16 custody or control of the document.

17 5. ***Identity of Entity.*** The term “identify,” when used in reference to an entity
18 other than a natural person, means to state with respect to each such entity:

- 19 a. Full legal name or title;
- 20 b. Form of business (i.e. profit corporation, partnership);
- 21 c. Complete business location and mailing address;
- 22 d. Telephone and facsimile numbers;
- 23 e. State of incorporation or juridical organization;

1 f. Address of headquarters of principal place of business; and,

2 g. Relationship to you.

3 6. **Knowledge or Information.** Where your knowledge or information in your
4 possession is requested, that request includes knowledge of your agents, representatives,
5 employees and attorneys. When the answer is made by a corporate defendant, the name,
6 address and title of the person supplying the information and the source of such person's
7 information must be included as well.

8 7. **Sources of Information.** The phrase "state the source of your information"
9 means to identify the person and the documents from which the information was obtained
10 where your answers are not based upon your own first-hand information.

11 8. **Person.** "Person" means, without limitation, any natural person, proprietorship,
12 companies, firms, corporations, partnerships, limited liability companies, independent
13 contractors, groups, associations, joint ventures, associations, trusts, estates, communities,
14 agencies, institutions, labor unions, or any form of business, social or legal entity, including
15 governmental subdivisions.

16 9. **You/Defendant.** "You" means SUNBELT RENTALS, INC., located at 2341
17 Deerfield Dr, Fort Mill, South Carolina 29715-8298 at its 17950 Redmond Way, Redmond,
18 Washington 98052 location, and its attorneys, agents, employees, officers, representatives,
19 adjusters, investigators and all other persons who are in possession of or who have obtained
20 information on your behalf.

21 10. **And/or.** "And" or "or" means "and/or," with the singular form being deemed
22 to include the plural and vice versa.

23 11. **"He"** or any other masculine, feminine or neuter pronoun means any individual,

1 regardless of sex or entity, to whom the interrogatory or request for production would
2 otherwise apply.

3 12. ***“Relating to”*** means to be relevant in any way to the subject matter in questions,
4 including without limitation all information that directly or indirectly contains, describes,
5 records summarizes, evaluates, refers to, is pertinent to, comments upon, or discusses the
6 subject matter or that states the background of, or was the basis for, or that records, evaluates,
7 was referred to, relied upon, used generated, transmitted, or receive din arriving at any
8 conclusion, opinion, estimate, position, decision, belief, or assertion concerning the subject
9 matter.

10 13. ***“Any”*** should be understood in either its most or least inclusive sense as
11 necessary to bring within the scope of the discovery request all responses that might otherwise
12 be construed to be outside of its scope.

13 14. ***“Claim”*** means a demand or assertion, whether oral or written, formal or
14 informal, by any person for monetary payment, the undertaking of action, or the cessation of
15 action.

16 15. ***“Complaint”*** or ***“comment”*** (e.g., about retaliation, harassment or
17 discrimination) means any statement, whether or not specifically denominated as a complaint
18 or comment, which could reasonably be considered or construed to be a comment or complaint
19 concerning harassment or discrimination based on any protected class or activity, including
20 but not limited to, a person’s race, color, national origin, sex, sexual orientation, religion,
21 disability, military service or status, taking designated medical leave, reporting regulatory or
22 safety violations, or any other harassment, discrimination or retaliation on any basis alleged
23 herein, including retaliation on any protected or illegal basis whatsoever.

1 16. “***Discrimination***” includes discrimination on any protected basis, and is not
2 limited to tangible or adverse employment actions, and shall also mean acts of harassment
3 whether or not such acts actually constitute a hostile working environment.

4 17. “***Personnel File***” means all records pertaining to a person’s employment,
5 including but not limited to those relating to duties, salary, promotions, evaluations, discipline,
6 grievances, benefits, discharge, resignation, suspensions, training, layoff or retirement, or any
7 other aspect of the person’s employment, whether or not maintained in a compilation or
8 collection referred to as a “personnel file.” It shall also include, not only the official “personnel
9 file” of any Defendant corporation or agency, but also all supervisor’s desk files and any other
10 documents or records containing such information. Each such separate portion of the
11 personnel file shall be produced in its entirety, including with folder tabs and labels, so that the
12 origin or source of said files and documents is preserved and can be identified.

13 18. All documents, including records, files, e-mails, correspondence, and
14 memorandum, stored electronically must be produced in its native format, including all
15 metadata.

16 19. The use of the singular form of any word includes the plural and vice versa. The
17 masculine includes the feminine and neuter genders. The past tense includes the present tense
18 where the clear meaning is not distorted by change of tense. “And” as well as “or” shall be
19 construed disjunctively or conjunctively as necessary to bring within the scope of the request
20 all responses that otherwise might be construed to be outside the scope. “Include” and
21 “including” and variations thereof shall not be interpreted in terms of limitations but shall be
22 deemed to be followed by the words “without limitation.” “Any” shall be construed as
23 synonymous with “every and “all” and shall be all-inclusive.

5. **Documents No Longer in Possession of Respondent/Destroyed Documents:**

If any responsive document is no longer in your possession, custody or control, produce a description of each such document. The description shall include the following:

- a. Name of each author, sender, creator, and initiator of such document;
- b. Name of each recipient, addressee, or party for whom such document was intended;
- c. Date the document was created;
- d. Date(s) the document was in use;
- e. Detailed description of the content of the document;
- f. Reason it is no longer in your possession, custody, or control; and,
- g. Current location of the document.

6. **Duty to Supplement:** The Request imposes a continuing duty on you to produce promptly any responsive document, information, or item that comes into your knowledge, possession, custody, or control after your initial production of responses to the requests. You are also required to amend your responses if you discover a previous response was incorrect or incomplete.

DATED February 10, 2021.

AKW LAW, P.C.

/s/ Ada K. Wong

/s/ Jordan T. Wada

Ada K. Wong, WSBA #45936

Jordan T. Wada, WSBA #54937

Attorneys for Plaintiff

6100 219th St. SW, Suite 480

Mountlake Terrace, WA 98043

Tel.: (206) 259-1259

Fax: (855) 925-9529

E-mail: ada@akw-law.com

E-mail: jordan@akw-law.com

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1:

Please produce a copy of any documents reflecting the names, identification numbers, and locations of any and all the Profit Centers for which Lee Reed was the Territory Human Resources Manager in the last five (5) years.

RESPONSE:

REQUEST FOR PRODUCTION NO. 2:

Please produce a copy of all records showing all runs and/or deliveries made or expected to be made (all versions of schedules whether or not they were met) by employees in the same or similar position as Plaintiff HORMAN (Driver – regardless of Driver classification or exact Driver position title (Driver 1, 2, etc.)) at Defendant SUNBELT RENTALS, INC.’s Redmond location from June 1, 2018 to June 1, 2019, including but not limited to the following employees:

- a. Oscar Martinez
- b. Patrick Papineau
- c. David Sabin
- d. Dane (last name unknown, Driver at Defendant’s Redmond location in 2018-2019)
- e. Ray Campbell

This request includes all responsive Vehicle Dispatch Optimization System (“VDOS”) logs and documents showing all adjustments and/or edits made to VDOS logs by Defendant SUNBELT RENTALS, INC.’s supervisors and/or managers regarding and/or relating to runs and/or delivers.

RESPONSE:

REQUEST FOR PRODUCTION NO. 3:

Please produce all trainings, materials, handbooks, policies, procedures, manuals, guidelines, bulletins, notes, memoranda, letters, and e-mails that Defendant SUNBELT RENTALS INC. provided to its employees, including supervisors, managers, and Human Resources personnel, that regard, relate to, and/or refer to engaging in the interactive process to determine possible accommodations for employees, including but not limited to accommodations of employee leave, time off from work, or reassignment, for the last five (5) years.

RESPONSE:

REQUEST FOR PRODUCTION NO. 4:

Please produce all documents regarding, referring to, and/or related to vacant positions at Defendant SUNBELT RENTALS, INC., including but not limited to job postings, and internal job openings. This request is limited in time from June 1, 2018 to December 31, 2019, and to Profit Centers in Washington, Oregon, and California.

RESPONSE:

REQUEST FOR PRODUCTION NO. 5:

To the extent not produced in response to Plaintiff's Second Set of Requests for

1 Production, Plaintiff's Request for Production No. 27 (served January 12, 2021), please
2 produce all of Defendant SUNBELT RENTALS, INC.'s trainings, materials, handbooks,
3 policies, procedures, manuals, guidelines, bulletins, notes, memoranda, letters, and e-mails
4 regarding, related to, and/or referring to equipment known as "duct jack," "skidsteer,"
5 "excavator," "man lift push-type," and "one man push arounds."

6 **RESPONSE:**

7

8

9 **REQUEST FOR PRODUCTION NO. 6:**

10 Please produce all of Defendant SUNBELT RENTALS, INC.'s trainings, materials,
11 handbooks, policies, procedures, manuals, guidelines, bulletins, notes, memoranda, letters, and
12 e-mails regarding, related to, and/or referring to Defendant SUNBELT RENTALS, INC.
13 providing employees with work uniforms, personal protective equipment, rain gear, tools,
14 equipment, or any other materials necessary for employees in the same or similar position as
15 Plaintiff HORMAN (Driver – regardless of Driver classification or exact Driver position title
16 (Driver 1, 2, etc.)) from June 1, 2018 to June 1, 2019.

17 **RESPONSE:**

18

19

20 **REQUEST FOR PRODUCTION NO. 7:**

21 Please produce all trainings, materials, handbooks, policies, procedures, manuals,
22 guidelines, bulletins, notes, memoranda, letters, and e-mails regarding, related to, and/or
23 referring to making requests and the processing of requests for paid time off, sick days,

1 vacation days, or other approved leave for the purpose of attending doctor's appointments,
2 applicable at of Defendant SUNBELT RENTALS, INC.'s Redmond location for the past five
3 (5) years.

4 **RESPONSE:**

7 **REQUEST FOR PRODUCTION NO. 8:**

8 Please produce all of Defendant SUNBELT RENTALS, INC.'s trainings, materials,
9 handbooks, policies, procedures, manuals, guidelines, bulletins, notes, memoranda, letters, and
10 e-mails regarding, related to, and/or referring to the procedures and documents that must be
11 completed in order for Defendant SUNBELT RENTALS, INC. to terminate an employee from
12 June 1, 2018 to June 1, 2019.

13 **RESPONSE:**

16 **REQUEST FOR PRODUCTION NO. 9:**

17 Please produce all documents regarding, related to, and/or referring to employees in
18 the same or similar position as Plaintiff HORMAN (Driver – regardless of Driver classification
19 or exact Driver position title (Driver 1, 2, etc.)) at Defendant SUNBELT RENTALS, INC.'s
20 Redmond location requesting paid time off, sick days, vacation days, or other approved leave
21 for the purpose of attending medical appointments during their employment with Defendant
22 SUNBELT RENTALS, INC.'s from June 1, 2018 to June 1, 2019. (To protect the
23 confidentiality of any third parties and against any fear Defendant may have regarding

1 disclosure of these documents, Plaintiff agrees that these documents should be marked
2 “CONFIDENTIAL” pursuant to the parties’ Stipulated Protective Order, Dkt. #19).

3 **RESPONSE:**

4
5
6 **REQUEST FOR PRODUCTION NO. 10:**

7 Please produce all documents (including but not limited to employee rosters, work
8 schedules, inventories, business assessments, cash flow statements, balance sheets, profit and
9 loss statements, accounts receivable, and accounts payable) that demonstrate business needs,
10 business demands, or business conditions that required drivers at Defendant SUNBELT
11 RENTALS, INC.’s Redmond location to work more than 8 hours per day from June 1, 2018
12 to present.

13 **RESPONSE:**

14
15
16 **REQUEST FOR PRODUCTION NO. 11:**

17 Please produce all of Defendant SUNBELT RENTALS, INC.’s trainings, materials,
18 handbooks, policies, procedures, manuals, guidelines, bulletins, notes, memoranda, letters, and
19 e-mails regarding, related to, and/or referring to assignment and/or dispatch of work tasks,
20 deliveries, pickups, “slips,” and/or “runs” applicable to Defendant SUNBELT RENTALS,
21 INC.’s Redmond location for the last five (5) years.

22 **RESPONSE:**

REQUEST FOR PRODUCTION NO. 12:

Please produce all communications or correspondence between Defendant SUNBELT RENTALS, INC. and any former employee(s) that did not execute a separation agreement or severance agreement, where the communication or correspondence was regarding or referencing the reason for the employee's separation from Defendant SUNBELT RENTALS, INC. This Request is limited to the last five (5) years at Profit Centers in Washington state.

RESPONSE:

REQUEST FOR PRODUCTION NO. 13:

Please produce all documents (redacting private health information of third parties) in which an employee of Defendant SUNBELT RENTALS, INC. requested an accommodation related to working a reduced schedule, part-time schedule, limiting work to certain hours per day or week, or reassignment. This request is limited to the last five (5) years at Profit Centers in Washington state. (To protect the confidentiality of any third parties and against any fear Defendant may have regarding disclosure of these documents, Plaintiff agrees that each employee's name may be redacted to first and last initial).

RESPONSE:

REQUEST FOR PRODUCTION NO. 14:

Please produce all documents (redacting private health information of third parties) in

1 which Mariana Troy (formerly Stout) and/or Lee Reed processed, handled, and/or addressed
2 an employee of Defendant SUNBELT RENTALS, INC.'s request for an accommodation
3 related to a medical condition. This request is limited to the last five (5) years at Profit Centers
4 in Washington state. (To protect the confidentiality of any third parties and against any fear
5 Defendant may have regarding disclosure of these documents, Plaintiff agrees that each
6 employee's name may be redacted to first and last initial).

7 **RESPONSE:**

8

9

10 **REQUEST FOR PRODUCTION NO. 15:**

11 Please produce all documents regarding, referring to, and/or related to newly hired
12 employees and/or employees starting a new position at Defendant SUNBELT RENTALS,
13 INC. This request is limited in time from June 1, 2018 to December 31, 2019, and to Profit
14 Centers in Washington, Oregon, and California. (To protect the confidentiality of any third
15 parties and against any fear Defendant may have regarding disclosure of these documents,
16 Plaintiff agrees that each employee's name may be redacted to first and last initial).

17 **RESPONSE:**

18

19

20 **REQUEST FOR PRODUCTION NO. 16:**

21 Please produce all documents regarding, related to, referencing, or relied upon in
22 Defendant SUNBELT RENTALS, INC.'s determination that it would not provide a work
23 schedule for PLAINTIFF JILLIAN HORMAN that did not exceed 8 hours of work per day in

1 2019.

2 **RESPONSE:**

3
4
5 **REQUEST FOR PRODUCTION NO. 17:**

6 Please produce all documents in which Drivers at Defendant SUNBELT RENTALS,
7 INC.'s Redmond location (regardless of Driver classification or exact Driver position title
8 (Driver 1, 2, etc.) and including PLAINTIFF HORMAN) expressed maintenance or safety
9 concerns, complaints, or issues with the work trucks, work vehicles, and/or equipment assigned
10 to them by Defendant SUNBELT RENTALS, INC., and all related communications by
11 Defendant SUNBELT RENTALS, INC., including any investigations, conclusions, remedies,
12 maintenance, modifications, or changes by Defendant SUNBELT RENTALS, INC. after said
13 issues or concerns were communicated.

14 **RESPONSE:**

15
16
17 **REQUEST FOR PRODUCTION NO. 18:**

18 Please produce all communications, including e-mails, photos, letters, recordings,
19 notes, or other documents regarding, relating, or referring to PLAINTIFF HORMAN
20 expressing concern about Sopheak Hang directing or requesting PLAINTIFF HORMAN to
21 drive her assigned truck with an improperly secured or unsafe load.

22 **RESPONSE:**

REQUEST FOR PRODUCTION NO. 19:

Please produce all documents that show the tasks that Defendant SUNBELT RENTALS, INC. assigned to PLAINTIFF HORMAN and whether PLAINTIFF HORMAN completed the tasks, including equipment deliveries, equipment pickups, “runs,” “slips,” or other Driver 1 tasks, from June 1, 2018 to June 1, 2019.

RESPONSE:

REQUEST FOR PRODUCTION NO. 20:

Please produce all documentation of communications, correspondence, and/or investigations regarding, related to, and/or referring to adjustments, changes, edits, or deletion of entries of Plaintiff HORMAN’s equipment deliveries, equipment pickups, “runs,” “slips,” Time Blocks, Time and Attendance System a VDOS records.

RESPONSE:

REQUEST FOR PRODUCTION NO. 21:

Please produce all written disciplinary actions and/or “Warning Forms”, including but not limited to documents similar to the template/format of SB/HORMAN-DEF00216, issued to any Defendant SUNBELT RENTALS INC. employee for “failure to comply with safety rules and procedures.” This request is limited to the last five (5) years at Profit Centers in Washington state.

1 **RESPONSE:**

4 **REQUEST FOR PRODUCTION NO. 22:**

5 Please produce all written disciplinary actions and/or “Warning Forms”, including but
6 not limited to documents similar to the template/format of SB/HORMAN-DEF00216, issued
7 by Brent Johnson to any Defendant SUNBELT RENTALS INC. employee, for any reason, for
8 the last five (5) years.

9 **RESPONSE:**

12 **REQUEST FOR PRODUCTION NO. 23:**

13 Please produce all versions (including updates) of the job description for all Driver
14 positions (regardless of Driver classification or exact Driver position title (Driver 1, 2, etc.))
15 applicable at Defendant SUNBELT RENTALS, INC. for the last five (5) years. This request
16 is limited to Profit Centers in Washington, Oregon, and California.

17 **RESPONSE:**

20 **REQUEST FOR PRODUCTION NO. 24:**

21 Please produce a copy of all documents, notes, audio or video recordings,
22 correspondence, memoranda, e-mails, letters, files or other communications maintained by
23 Defendant SUNBELT RENTALS, INC.’s Human Resources department and/or personnel

1 regarding, referring to, and/or related to Anthony (Tony) Bariel. This includes any discipline,
2 warnings, complaints, or investigations where he is the subject of the investigation; counseling
3 records; performance-related communication; separation of employment records, including
4 dates of employment; training records related to discrimination, retaliation, and
5 accommodations; and hiring records, including the job description, including all duties and
6 responsibilities, for all job positions has held Anthony (Tony) Bariel at Defendant SUNBELT
7 RENTALS, INC., resumes, application, background checks, reference checks. (To protect the
8 confidentiality of any third parties and against any fear Defendant may have regarding
9 disclosure of these documents, Plaintiff agrees that these documents should be marked
10 “CONFIDENTIAL” pursuant to the parties’ Stipulated Protective Order, Dkt. #19).

11 **RESPONSE:**

12

13

14 **REQUEST FOR PRODUCTION NO. 25:**

15 Please produce all documents which support or contradict the allegations in Defendant
16 SUNBELT RENTALS INC.’s Answer [Dkt. # 23], Page Nos. 41, 43, 45, 49, asserting as an
17 affirmative defense: “Plaintiff’s claims for damages should be denied to the extent she failed
18 to mitigate her damages.”

19 **RESPONSE:**

20

21

22 **REQUEST FOR PRODUCTION NO. 26:**

23

1 Please produce all documents regarding, related, or referring to PLAINTIFF
 2 HORMAN's application for benefits through the Washington State Employment Security
 3 Department ("ESD") due to her separation from Defendant SUNBELT RENTALS INC., and
 4 all other documents which support or contradict the allegations in Defendant SUNBELT
 5 RENTALS INC.'s Answer [Dkt. # 23], Page Nos. 41, 43, 45, 49, asserting as an affirmative
 6 defense: "Plaintiff's claim for damages should be denied to the extent that she received wages
 7 and other income subsequent to her employment with Defendant."

8 **RESPONSE:**

9

10

11 **REQUEST FOR PRODUCTION NO. 27:**

12 Please produce all documents which support or contradict the allegations in Defendant
 13 SUNBELT RENTALS INC.'s Answer [Dkt. # 23], Page No. 49, asserting as an affirmative
 14 defense: "Defendant exercised reasonable care to prevent and correct promptly any alleged
 15 harassment, and Plaintiff unreasonably failed to take advantage of any preventive or corrective
 16 opportunities provided by Defendant or to avoid harm otherwise."

17 **RESPONSE:**

18

19

20 **DATED** February 10, 2021.

21 **AKW LAW, P.C.**

22 /s/ Ada K. Wong

23 /s/ Jordan T. Wada

1 Ada K. Wong, WSBA #45936
2 Jordan T. Wada, WSBA #54937
3 Attorneys for Plaintiff
4 6100 219th St. SW, Suite 480
5 Mountlake Terrace, WA 98043
6 Tel.: (206) 259-1259
7 Fax: (855) 925-9529
8 E-mail: ada@akw-law.com
9 E-mail: jordan@akw-law.com
10
11
12
13
14
15
16
17
18
19
20
21
22
23

ATTORNEY CERTIFICATION

The undersigned counsel for defendant hereby certifies Defendant's responses pursuant to Federal Rule of Civil Procedure 26(g).

Dated this _____ day of _____, 2021.

Shane P. Cramer, WSBA #35099
Attorney for Defendant

Patricia J. Hill, FL Bar #0091324
Yash B. Dave, FL Bar #0068573
Pro hac vice Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On February 10, 2021, I caused a copy of the foregoing to be served on the parties listed below in the manner specified below:

Shane P. Cramer Harrigan Leyh Farmer & Thomsen LLP 999 Third Avenue, Suite 4400 Seattle, WA 98104 E-mail: shanec@harriganleyh.com <i>Attorneys for Defendant Sunbelt Rentals, Inc.</i>	<input type="checkbox"/>	VIA FACSIMILE
	<input type="checkbox"/>	VIA FIRST CLASS U.S. MAIL
	<input type="checkbox"/>	VIA MESSENGER/HAND DELIVERY
	<input checked="" type="checkbox"/>	VIA E-MAIL/E-FILE <i>Per 5/21/2020 Stipulation</i> <i>Regarding Electronic Service</i>
Patricia J. Hill Yash B. Dave Smith, Gambrell & Russell, LLP 50 North Laura Street, Suite 2600 Jacksonville, FL 32202 E-mail: pjhill@sgrlaw.com E-mail: ydave@sgrlaw.com E-mail: cmars@sglaw.com <i>Pro hac vice Counsel for Defendant Sunbelt Rentals, Inc.</i>	<input type="checkbox"/>	VIA FACSIMILE
	<input type="checkbox"/>	VIA FIRST CLASS U.S. MAIL
	<input type="checkbox"/>	VIA MESSENGER/HAND DELIVERY
	<input checked="" type="checkbox"/>	VIA E-MAIL/E-FILE <i>Per 5/21/2020 Stipulation</i> <i>Regarding Electronic Service</i>
Isabel Johnson LAW OFFICE OF ISABEL S. JOHNSON, PLLC 748 Market Street #15 Tacoma WA 98402 E-mail: isabel@isjlaw.com Co-Counsel for Plaintiff	<input type="checkbox"/>	VIA FACSIMILE
	<input type="checkbox"/>	VIA FIRST CLASS U.S. MAIL
	<input type="checkbox"/>	VIA MESSENGER/HAND DELIVERY
	<input checked="" type="checkbox"/>	VIA E-MAIL/E-FILE <i>Per 2/8/2021 Supplemental</i> <i>Stipulation Regarding Electronic</i> <i>Service</i>

1 Dated February 10, 2021, at Mountlake Terrace, Washington.

2

3

/s/ Kaila A. Eckert

Kaila A. Eckert, Paralegal

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23